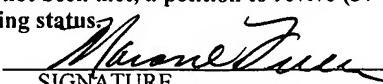


| | | |
|---|---|---|
| U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE FORM PTO-1390 (REV 12-2004) | | ATTORNEY'S DOCKET NUMBER 4121-176 |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/524168 |
| INTERNATIONAL APPLICATION NO. PCT/EP2003/008711 | INTERNATIONAL FILING DATE 6 August 2003 | PRIORITY DATE CLAIMED 6 August 2002 |
| TITLE OF INVENTION GPI ANCHORED GLYCOPROTEIN ACA AS A NOVEL TUMOR MARKER | | |
| APPLICANT(S) FOR DO/EO/US TERNESS, Peter; BECKER-KOJIC, Zorica | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below. <input type="checkbox"/> The US has been elected (Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Unsigned) <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A preliminary amendment. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A power of attorney and/or change of address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> Other items or information: | | |

| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/524168 INTERNATIONAL APPLICATION NO. PCT/EP2003/008711 | | | | ATTORNEY'S DOCKET NUMBER 4121-176 | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|------------------------|---|------------------|--|-------------------------------------|-----------------------|--------------|----------|----|-------------------------------------|--------------------|----------|-----------|----------|-------------------------------------|---------------|----------|------------|-----------|---|--|-----------|------------|---|--------------------------------------|--|--|--|------------------|
| <p>21. The following fees are submitted:</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/></td> <td>a) Basic national fee</td> <td>\$300.00</td> <td>\$300.00</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>b) Examination fee</td> <td>\$200.00</td> <td>\$200.00</td> <td></td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>c) Search fee</td> <td>\$500.00</td> <td>\$500.00</td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1000.00</td> <td>\$1000.00</td> <td></td> </tr> </table> | | | | | <input checked="" type="checkbox"/> | a) Basic national fee | \$300.00 | \$300.00 | | <input checked="" type="checkbox"/> | b) Examination fee | \$200.00 | \$200.00 | | <input checked="" type="checkbox"/> | c) Search fee | \$500.00 | \$500.00 | | TOTAL OF ABOVE CALCULATIONS = | | \$1000.00 | \$1000.00 | | | | | | |
| <input checked="" type="checkbox"/> | a) Basic national fee | \$300.00 | \$300.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | b) Examination fee | \$200.00 | \$200.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | c) Search fee | \$500.00 | \$500.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | \$1000.00 | \$1000.00 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer listing filed in an electronic medium). <input type="checkbox"/> The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total Sheets - 100 | Extra Sheets 7/50 = | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE x 250.00 | \$250.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th>NUMBER EXTRA</th> <th>RATE</th> <th>\$</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>23 - 20 =</td> <td>3</td> <td>X \$50.00</td> <td>\$150.00</td> </tr> <tr> <td>Independent claims</td> <td>9 - 3 =</td> <td>6</td> <td>X \$200.00</td> <td>\$1200.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$360.00</td> <td>0</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$2470.00</td> </tr> </tbody> </table> | | | | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | Total claims | 23 - 20 = | 3 | X \$50.00 | \$150.00 | Independent claims | 9 - 3 = | 6 | X \$200.00 | \$1200.00 | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | 0 | TOTAL OF ABOVE CALCULATIONS = | | | | \$2470.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| Total claims | 23 - 20 = | 3 | X \$50.00 | \$150.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Independent claims | 9 - 3 = | 6 | X \$200.00 | \$1200.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$360.00 | 0 | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$2470.00 | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL = \$1235.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). \$ 0.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL NATIONAL FEE = \$1235.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| TOTAL FEES ENCLOSED = \$1235.00 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | Amount to be: refunded \$ charged \$ | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>08-3284</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any deficiencies in filing fees which may be required, or credit any overpayment to Deposit Account No. <u>08-3284</u> . A duplicate copy of this sheet is enclosed. d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEND ALL CORRESPONDENCE TO:  Steven J. Hultquist INTELLECTUAL PROPERTY/ TECHNOLOGY LAW P.O. BOX 14329 Research Triangle Park, NC 27709 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SIGNATURE <u>Marianne Fuierer</u> NAME <u>Marianne Fuierer</u> 39983 REGISTRATION NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

10/524168

DT02 Rec'd PC 07 FEB 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--|--|-------------|---------------|------------------|
| In re United States Patent Application of: |) | Docket No.: | 4121-176 | |
| Applicant(s): | Terness, et al. |) | Examiner: | Not Yet Assigned |
| Application No.: | New U.S. National Stage Application of PCT International Application No. PCT/EP2003/008711 |) | Art Unit: | Not Yet Assigned |
| Int'l Filing Date: | 6 August 2003 |) | Customer No.: | |
| Priority Date: | 6 August 2002(European Application No. 02017524.6) |) | | |
| Title: | GPI ANCHORED GLYCOPROTEIN ACA AS A NOVEL TUMOR MARKER |) | | 23448 |

EXPRESS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 and Express Mailed under the provisions of 37 CFR 1.10.

Candace White
Candace White

February 7, 2004

Date

EO 003 909 435 US

Express Mail Label Number

SUBMISSION UNDER 35 U.S.C. §371 OF UNITED STATES PATENT APPLICATION
(NATIONAL PHASE PROCEEDINGS) BASED ON INTERNATIONAL APPLICATION NO.
PCT/EP2003/008711 AND CLAIMING PRIORITY OF EUROPEAN PATENT APPLICATION
NO. 02017524.6

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing under the provisions of 37 CFR §1.53 and 35 U.S.C. §371 is the above-referenced patent application, based on International Patent Application No. PCT/EP2003/008711 and

claiming priority of European Patent Application No. 02017524.6. A copy of the PCT International application as originally filed is included herewith. Further included is a Preliminary Amendment, return postcard, a credit card form in the amount of \$1235.00 and 35 U.S.C. §371 transmittal forms.

Please direct correspondence relating to this application to Steven J. Hultquist, Intellectual Property Technology Law, P.O. Box 14329, Research Triangle Park, NC 27709, and direct telephonic communications relating to this application to Marianne Fuierer at (919) 419-9350.

Respectfully submitted,


Marianne Fuierer
Registration No. 39,983
Attorney for Applicants

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Attorney Ref.: 4121-176